

MAINE STATE LEGISLATURE

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Whereas, said municipalities must themselves raise the moneys by which said Regional Sewer System is to be constructed and operated and therefore seek greater opportunity to influence the timing and design of its construction; and

Whereas, said municipalities require additional time beyond February 6, 1972 for responsible evaluation of the costs and administration proposed for said Regional Sewer System before determination upon the question of withdrawal therefrom; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P. & S. L., 1969, c. 95, § 3, amended. The first paragraph of section 3 of chapter 95 of the private and special laws of 1969 is amended to read as follows:

The district is authorized to lay in, along, under and through the streets, roads, ways and highways and tidal waters, lakes, ponds, rivers and water courses in the Cities of Portland, South Portland and Westbrook, and the Towns of Cape Elizabeth, Cumberland, Falmouth, Gorham, Standish and Windham, and across private lands therein, and to maintain, repair and replace all such pipes, lines, drains, conduits, interceptor lines, trunk sewers, outfalls, outlets, and fixtures and appurtenances and to construct, operate, maintain and replace such disposal, treatment and purification facilities and appurtenances, as may be necessary and convenient for the district in carrying out the foregoing powers, provided that the municipal officers of the municipalities to be served by such facilities and appurtenances shall first have requested the district to provide the same, shall have approved the design engineer for the same, shall have been given opportunity for periodic review of the design work for the same, and shall thereafter have voted to accept their apportioned shares of the financing costs thereof.

Sec. 2. P. & S. L., 1969, c. 95, § 13, amended. Section 13 of chapter 95 of the private and special laws of 1969 is amended by adding at the end the following new sentence:

The records and accounts for the waste water and sewage system, and the records of expenses, charges and receipts jointly allocated between the said system and the water system shall be open to inspection during all business hours by the municipal officers of all participating municipalities and by their duly authorized representatives.

Sec. 3. P. & S. L., 1969, c. 95, § 16 amended. The first sentence of the second paragraph of section 16 of chapter 95 of the private and special laws of 1969 is repealed and the following enacted in place thereof:

Within 270 days of receipt of such plan and declarations, or, with respect to the Town of Cape Elizabeth whose participation would be largely dependent upon the participation of the City of South Portland, within 315 days thereof, a participating municipality may withdraw from the waste water and sewage system authorized by this Act upon approval by a majority of the legal voters of such participating municipality voting at an election duly called and

held for the purpose, in the same manner as the election relating to the approval of this Act.

Sec. 4. P. & S. L., 1969, c. 95, § 16, amended. The 2nd paragraph of section 16 of chapter 95 of the private and special laws of 1969 is amended by adding at the end the following new sentence:

Any participating municipality may call and hold more than one election under this Act during the above-defined withdrawal period, and if any municipality does so the result of its last election shall be governing.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is reflected in the emergency preamble.